

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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THE ONEIDA GROUP,

Plaintiff,

- against -

**REPORT AND
RECOMMENDATION**

CV 17-957 (ADS) (AKT)

STEELITE INTERNATIONAL, U.S.A., INC.,
TABLEWERKS, INC., RICHARD ERWIN,
STEVEN LEFKOWIZ, and ANTHONY
DELOSREYES,

Defendants.

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A. KATHLEEN TOMLINSON, Magistrate Judge:

District Judge Arthur Spatt issued an Order [DE 28] referring this Lanham Act case to the undersigned to conduct a hearing on plaintiff's motion for preliminary injunction, temporary restraining order, and expedited discovery [DE 12] and to report and recommend whether the motion should be granted, and, if so, the relief to be awarded. Judge Spatt signed the Order To Show Cause on February 22, 2017 and set the hearing for February 27, 2017 at 4 p.m. [DE 8]. The Show Cause Order contained a modified temporary restraining order which was to be in effect until the hearing on February 27, 2017. Defendants' counsel requested some time to file papers in opposition and consented to the imposition of the temporary restraining order until the February 27, 2017 hearing.

This Court conducted the hearing on February 27, 2017. Having reviewed the extensive motion papers submitted by both sides, having heard oral argument on the motion, and finding that the circumstances warrant the Court's maintaining the *status quo* while it considers the issues raised and renders an expedited decision, the Court respectfully recommends to Judge

Spatt that the temporary restraining order remain in place until the decision is rendered, on or before March 14, 2017. The Court further recommends that the plaintiffs be required to post security in the amount of \$5 million in a form satisfactory to the Court, within 48 hours, for the payment of any costs and damages as may be incurred by any party if it is found that the plaintiff is not entitled to the restraint recommended here.

SO ORDERED.

Dated: Central Islip, New York
February 27, 2017

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge